GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – West Godavari District – Allegation of Corruption against Sri Marisetti Potha Raju, Senior Assistant O/o the Revenue Divisional Officer, Eluru, (Now Retired) – Trapped by ACB on 23.10.2006 – Accused Officer Convicted in a criminal case - Imposed punishment of withholding all pensionary benefits permanently under Rule 8(1) and 9(1) of Andhra Pradesh Revised pension Rules 1980– Orders - Issued.

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REVENUE (VIGILANCE.III.1) DEPARTMENT

G.O.Rt.No.833 **Dated:05-08-2019**

Read the following:-

1) From the DG, ACB Lr.Rc.No.191/RCT-EWG/06-S13, DT.04.11.2006.
2) Govt.Memo.No.51348/Vig.VII(1)/2006, dt.16.11.2006.
3) From the CCLA, A.P., Lr.No.VS.II(2)/1351/2006, dt.07.12.2006.
4) From the DG, ACB Lr.Rc.No.191/RCT-EWG/06-S13, DT.27.02.2007.
5) G.O.Ms.No.857, Revenue(Vig.VII)Dept., dt.20.06.2007.
6) From the DG, ACB Lr.Rc.No.191/RCT-EWG/06-S13, DT.03.07.2019.

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ORDER:

In the references read above, the Director General, Anti Corruption Bureau Andhra Pradesh, in his letter, dated.04.11.2006 has stated that Sri M. Potharaju, Senior Assistant was trapped on 23.10.2006 and placed under suspension vide Proceedings No.6907/VC/2006 of the District Collector, dt.04.11.2006 w.e.f. 23.10.2006 for demanded and accepted bribe of Rs.5,000/-from the complainant Sri Kancherla Nagalingam S/o Narasimha Rao sawmill owner, R/o Prakasaropalem village of Nallajerla (M). The individual was retired on 31.08.2009 on attaining the age of superannuation.

2. In the reference 4th cited, the Director General, Anti Corruption Bureau Andhra Pradesh has submitted final report to the Government. The Government have issued sanction orders for prosecution vide references 5th cited.

3. The Director General, Anti Corruption Bureau Andhra Pradesh, Vijayawada in his letter dt.03.07.2019 has stated that the Hon'ble Special Judge for Special Police Establishment & Anti Corruption Bureau Cases cum III-Additional District and Sessions Judge, Vijayawada pronounced judgment on 20.11.2017 and convicted the Accused Officer Sri Marisetti Potha Raju, Senior Assistant, previously worked in the O/o the Revenue Divisional Officer, Eluru, West Godavari District and sentenced him to undergo rigorous imprisonment for a period of two years and also to pay fine of Rs.10,000/- and in default to suffer RI for three months for the offence punishable U/s 7 of Prevention of Corruption Act, 1988. The accused is further sentenced to undergo RI for a period of 3 months for the offence punishable U/s 13(2) r/w 13(1)(d) of the Prevention of Corruption Act, 1988. Both the sentences were ordered to run concurrently.

4. Further the Director General, Anti Corruption Bureau has stated that the Accused Officer filed Criminal Appeal in the High Court of Andhra Pradesh bearing CRLA No.1473 of 2017 against his conviction and sentence. The Hon'ble High Court in their order in Crl.A.M.P. No.2914/2017 (in CRLA No.1473 of 2017) dt.28.11.2017, pending further orders, suspended the sentences of imprisonment alone of the Accused Officer and granted bail to him.

5. As per the G.O.Ms.No.2, General Administration (Ser.C) Department, dt.4-1-1999, the Government directed that in all proven cases of misappropriation, bribery, corruption etc., the penalty of dismissal from service shall be imposed. As per the amendment of Rule 25(1) to the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 issued through G.O.Ms.No.240, General Administration (Ser.C) Department, dt.14.08.2003 it is not necessary to consult with the Andhra Pradesh Public Service Commission before any orders are

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made under Clause (i) of this Rule. As per the information available, the Accused Officer retired from service on 31.08.2009.

6. The Director General, Anti Corruption Bureau has requested to Government to take immediate action to withhold the pensionary benefits of the Accused Officer Sri Marisetti Potha Raju, Senior Assistant, previously worked in the O/o the Revenue Divisional Officer, Eluru, West Godavari District under the Andhra Pradesh Revised Pension Rules, 1980 as the individual was convicted in a criminal case.

7. Government, after careful examination of the matter, have decided to impose the penalty **"withholding all pensionary benefits permanently"** on Sri Marisetti Potha Raju, Senior Assistant, (Retired) under Rule 8(1) and 9(1) of Andhra Pradesh Revised Pension Rule's 1980. Now, therefore in exercise of the powers conferred under Sub-Rule (2) of Rule 8 and Sub-Rule (1) of Rule 9 of Andhra Pradesh Revised Pension Rules, 1980, read with instructions issued in G.O.Ms.No.2, General Administration (Services-C) Department, dated 04-01-1999 and Memo No.178/Spl.C/2003-1,General Administration (Special-C) Department, dated 07-05-2003, Government hereby impose the penalty of withholding all pensionary benefits permanently against Sri Marisetti Potha Raju, Senior Assistant O/o the Revenue Divisional Officer, Eluru, (Now Retired) with immediate effect.

8. The Chief Commissioner of Land Administration, Andhra Pradesh, Vijayawada shall take necessary action accordingly.

NOTIFICATION

9. The following notification shall be published in the extraordinary issue of the Andhra Pradesh Gazette dated: 08.08.2019.

In exercise of the powers conferred under Sub-Rule (2) of Rule 8 and Sub-Rule (1) of Rule 9 of Andhra Pradesh Revised Pension Rules, 1980, read with instructions issued in G.O.Ms.No.2, General Administration (Services-C) Department, dated 04-01-1999 and Memo No.178/Spl.C/2003-1, General Administration (Special-C) Department, dated 07-05-2003, Government hereby impose the penalty of withholding all pensionary benefits permanently against Sri Marisetti Potha Raju, Senior Assistant O/o the Revenue Divisional Officer, Eluru, (Now Retired) with immediate effect .

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

MANMOHAN SINGH
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri Marisetti Potha Raju, Senior Assistant previously worked in the O/o the RDO, Eluru, (Now Retired), West Godavari District (through the District Collector, West Godavari)
The Collector and District Maguistarte, West Godavari District (with a request to serve the G.O. on the individual and send the served copy with dated signature to the Government for record)
The Chief Commissioner of Land Administration, Andhra Pradesh, Vijayawada.

Copy to :

The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, Secretariat Building No.5, Velagapudi, Guntur District.
The Director General, Anti-Corruption Bureau, Andhra Pradesh, Pandit Nehru Bus Station, NTR Administrative Block, IInd Floor, Vijayawada.
The Commissioner of Printing, Stationery & Stores Purchase, Vijayawada (with a request to publish the G.O.in the extraordinary Gazette and furnish 10 copies to Government)
The Director of Treasury and Accounts, Andhra Pradesh, D.No.7-57, Sri Anjaneya Towers, VTPS Road, Ibrahimpatnam, Vijayawada-521456.Email: director.dta@gmail.com
The Accountant General, Andhra Pradesh, Hyderabad.
The District Treasury Officer, West Godavari, Eluru.
SF/SCs

//FORWARDED :: BY ORDER//

SECTION OFFICER